

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:05CR85 HEA
	)	
SCOTT WILLIAMS,	)	
	)	
Defendant.	)	

**OPINION, MEMORANDUM AND ORDER**

This matter is before the Court on Defendant Williams' Motion to Dismiss, [No. 140]. The Court referred this matter to United States Magistrate Judge David Noce for a report and recommendation pursuant to 28 U.S.C. § 636(b).

On July 11, 2005, an evidentiary hearing was held. Neither party offered any evidence. Judge Noce filed his recommendation on July 22, 2005 that Defendant's motion be denied. No objections to the report and recommendation have been filed.

The Court has considered Judge Noce's reasoning for his recommendation and agrees with Judge Noce's solid conclusions.

Accordingly,

**IT IS HEREBY ORDERED** that the Motion to Dismiss filed by Defendant

Williams, [Nos. 140], is denied.

Dated this 9th day of August, 2005.

A handwritten signature in black ink, appearing to read "Henry Edward Autrey", with a long horizontal flourish extending to the right.

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HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE